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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,952	01/05/2001	Oren Kremer	2315/1h317US1	5185

7590 09/30/2004		EXAMINER
DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022		RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/755,952	KREMER ET AL.
	Examiner	Art Unit	
	Sam Rimell	2175	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _2-86_ is/are pending in the application.

    4a) Of the above claim(s) _87-93_ is/are withdrawn from consideration.

5)☒ Claim(s) _72-86_ is/are allowed.

6)☒ Claim(s) _2-71_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Election Requirement: Applicant has submitted a timely response to the

election requirement of March 22, 2004 and has elected group I, claims 2-86 without traverse.

Claims 2-86 will be examined on the merits.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
subject matter which the applicant regards as his invention.

Claims 2-71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Claim 2:   Line 3 includes the phrase "forwarding receiving" preview requests. It is not

clear whether the claim intends to suggest "forwarding or receiving" or "forwarding and

receiving".

Claim 9:   The phrase "the configuration data module" lacks antecedent basis.

Claim 12:   The phrase "the client page profile module" lacks antecedent basis.

Claim 23:   The phrase "the preview information archive" lacks antecedent basis.

Claim 24:   The phrase "one of determines" is vague and confusing. The phrase appears to

be missing words.

Claim 39:   In line 2, the phrase "client server" is confusing. A system in a network is

generally a client or a server, not both.

Claims 3-8, 10-11, 13-23 and 25-38:   These claims are rejected under 35 USC 112,

second paragraph due to their dependency on rejected claim 2.

Claims 40-71:   These claims are rejected under 35 USC 112, second paragraph due to

their dependency on claim 39.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2-14 and 17-38 are rejected under 35 U.S.C. 102(e) as being anticipated by

Scarborough et al. (U.S. Patent 6,353,448).

Claim 2: Reference is made to FIG. 3. Scarborough et al. discloses a user interface (120)

that can forward preview requests and receive the results of such requests. Results of such

requests are shown in FIGS. 7-10 and illustrate previews of web pages. A page profile module

(150) that can forward the requests to a server (80) and receive the results back from the server

(80). A main controller (135) receives the preview requests from the user interface (120) and

forwards the requests to the page profile module (150). A first interface (physical connection

hardware on system 150 that connect to lines 160) transmits the requests to the server. A real

time build module (computer programming schematically shown at 90, 100, 180) build the

preview requests by transforming them to bitmap images which get returned to the user interface

(120).

Claim 3: The main controller (135) controls the receipt and return of queries for preview

pages and controls communication between the client user interface (120) and the controller

(135).

Claim 4: The user interface is a graphical user interface (120). Illustrations of this

interface are shown in FIGS. 4-10.

Claim 5: As seen in FIG. 8, the user issues the request by selecting a bookmark using a bookmarks toolbar. This displayed preview information is that shown in the graphical display of FIG. 8.

Claim 6: The page profile module is the system (150). As seen by the data flow in FIG. 3, this system (150) accepts the preview requests from the controller (135), processes and generates the preview information and returns that information to the main controller (135).

Claim 7: The page profile module both retrieves profile information from the server (80) but also builds the profile information using the programming (90, 100, 180) schematically illustrated in FIG. 3.

Claim 8: The preview information in the server (80) is initially unformatted. The page profile module (150) extracts this unformatted information from server (80) and then formats the information using computer programming (90, 100, 180). The formatted results are shown in FIGS. 5-10.

Claim 9: FIGS. 5-6 illustrate the selection of client configuration settings. The "configuration data module" lacks antecedence, but may be viewed as the computer programming which supports the interfaces of FIGS. 5-6.

Claim 10: In FIGS. 5-6, the user selected settings are user preferences. The remaining features in claim 10 are optionally recited.

Claim 11: The user preferences set in FIG. 6 may determine the content which is returned to the user. If the content is not supported by a selected browser, that content may not be returned, so browser selection can dictate what is actually returned to the user.

Claim 12: The "client page profile module" lacks antecedence. Assuming this is a reference to the "page profile module" (150), this module (150) accesses and extracts information from the server (80), and formats the extracted information (90, 100, 180).

Claim 13: The preview information derives from the Internet (col. 4, line 50) which includes web pages.

Claim 14: The page profile module retrieves preview information from the server (80) and the server (80) returns the preview information. These communications occur via the first interface (physical connection at processor 150 to the line 160).

Claim 17: The page profile module (150) includes a retrieve module (90), a build module (100), a profile interface module (physical connection to line 170), web interface module (physical connection to line 160), and auxiliary interface module (physical connection to line 140).

Claim 18: The server (80) has information sources from which the page profile retrieve module (150) extracts information.

Claim 19: The preview information derives from the Internet (col. 4, line 50) which defines web page networks.

Claim 20: The Internet (col. 4, line 50) encompasses the World Wide Web. The auxiliary data source is optionally recited.

Claim 21: Since the auxiliary data source is optionally recited in claim 20, further defining this source does not carry patentable weight, since it is not necessarily part of the invention.

Claim 22: The page profile retrieve module (programming 90) receives information derived from an external module, such as the server (80) and generates information.

Claim 23: The information from the external modules, such as the server (80), include preview information derived from requests by the page profile module (150). The "preview information archive" lacks antecedence and appears to be another reference to the server (80).

Claim 24: The page profile retrieve module (150) build previews based on information requested by the processor (150). The retrieval of pre-built information is optionally recited.

Claim 25: Claim 25 is entirely directed to information which was optionally recited in claim 24, and thus does not carry patentable weight.

Claims 26-27: The profile retrieve module (90) inherently includes lines of programming. Any line of programming within this module is readable as a submodule. Since the page profile retrieve module (90) shown in FIG. 3 must retrieve information from system (150), there must inherently by at least one instruction (submodule) for retrieving that information. Other functions of the submodules are optionally recited in claim 27.

Claims 28-29: The profile build module (100) inherently includes lines of programming. Any line of programming within this module is readable as a submodule. Since the page profile build module (100) must build a bitmap image, it must inherently include at least one instruction (submodule) to perform that function. The other functions of the submodules are optionally recited.

Claim 30: Reference is made to FIG. 8. The browser of FIG. 8 indicates that preview information is available, since the browser is used for displaying the previews of websites. The request is the selection of the bookmarks option. The previews of three web pages are generated

using the system of FIG. 3. The resulting previews are transmitted to the user, with the results

shown in FIG. 8.

Claim 31: The information displayed in FIG. 8 may either be pre-stored in a cache (200

in FIG. 3) or downloaded in real time from a server (80).

Claim 32: Referring to FIG. 3, requests for the preview information are made by sending

the request information to a main controller (135), forwarding the request to a client page profile

module (150), generating a preview package using programming (90, 100, 180), forwarding the

package to the main controller (180) and displaying the profile results at user (120).

Claim 33-34: Requests from the user interface (120) are forwarded to the main controller

(135).

Claim 35: Information is retrieved from the server (80) and constructed using the

programming steps (90, 100, 180).

Claim 36: The information source is the server (80) which is part of the Internet (col. 4,

line 50). The Internet is a set of networked web pages. The auxiliary pages are optionally recited.

Claim 37: FIGS. 5-6 allow for the modification of client configuration settings.

Claim 38: FIGS. 5-6 illustrate the entering and processing of client configuration

requests. The last two paragraphs are conditional statements based on conditions which are not

mandatory. Accordingly, these conditional statements do not carry patentable weight.

Claims 15-16 would be allowable if rewritten to overcome the rejection(s) under 35

U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of

the base claim and any intervening claims.

Claims 39-71 would be allowable if rewritten or amended to overcome the rejection(s)

under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 72-86 are allowed.

Any inquiry concerning this communication should be directed to Sam Rimell at

telephone number (703) 306-5626.

Sam   Rimell
Primary Examiner
Art Unit 2175